

CHAPTER 93A. PEDICAB TRANSPORTATION BUSINESS FRANCHISES

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93A.01. License and Franchise Required. Subdivision 1. No person shall engage in a Pedicab Transportation Business unless (a) the operation of the Pedicab Transportation Business occurs pursuant to and in compliance with the terms and conditions of a franchise ordinance adopted by the Common Council and (b) the vehicle is licensed by the City.

Subd. 2. For purposes of this Chapter, a person engages in a Pedicab Transportation Business whenever a person performs all of the following:

- A. operates a Pedicab upon or over a public street, alley or public right-of-way;
- B. solicits, suggests or otherwise advertises in any way the availability of the business for the transportation of the public; and
- C. charges a fee for the transportation of passengers.

93A.02. Definitions. “Pedicab” means a non-motorized three-wheel bicycle or an electric-assisted bicycle, as that term is defined by Minnesota Statutes, Section 169.011, subd. 27, used to carry passengers for hire. “Pedicab Transportation Business” means the operation of a Pedicab for hire for the recreation or physical transportation of the general public.

93A.03. License. Subdivision 1. Application for a license shall be made on application forms provided by the City Clerk’s Office and shall contain such information as required including the name, address and telephone number of the applicant; whether the business is an individual, partnership or corporation; the names and addresses of all partners, if a partnership, or of all officers and directors, if a corporation; and a description and the number of Pedicabs to be used.

Subd. 2. All licenses will expire on March 31 of the following year.

Subd. 3. The annual license fee is \$18 per vehicle.

Subd. 4. During the time of licensure, the Licensee must notify the City Clerk whenever any of the information provided on the application form is no longer accurate.

93A.04. Insurance. Before any Licensee operates any vehicle, it must secure and maintain during the franchise’s term a commercial liability insurance policy covering each vehicle operated. The policy must have coverage limits not less than \$1,000,000 for each

CHAPTER 93A. PEDICAB TRANSPORTATION BUSINESS FRANCHISES

occurrence and \$2,000,000 aggregate for both bodily injury and property damage liability to cover claims for injury or damage resulting or arising from the actions of the Licensee, its officers, employees or agents during the term of the franchise. A copy of this policy or a certificate of insurance must be filed with the city clerk. The Licensee's insurer must be authorized to do business in Minnesota.

93A.05. Operating Conditions and Restrictions. Subdivision 1. Every Pedicab shall be operated in compliance with all applicable federal, state and local traffic and licensure laws, and in a manner so as to assure the safety of persons and property.

Subd. 2. No Pedicab shall be operated upon a public sidewalk.

Subd. 3. No Pedicab shall be operated upon the Peace Plaza as that term is defined by section 45D.01, subd. 1.

Subd. 4. No Pedicab shall use any public street or other public property as a waiting area unless such area is a legal motor vehicle parking area.

Subd. 5. All Pedicabs, when operating between dusk and dawn, shall make sure of working battery powered lights. Each Pedicab shall be equipped with one headlight capable of projecting a beam of white light for a distance of 30 feet, and two red taillights mounted on the right and left, respectively, on the rear exterior of the vehicle. Taillights shall be plainly visible from all distances within 500 feet to the rear of the Pedicab.

93A.06. Vehicles and Operators. Subdivision 1. All Pedicabs shall display a valid license decal issued by the City Clerk's Office, which states the name and address of the Licensee.

Subd. 2. Pedicab operators shall have in their possession a valid driver's license while in control of any Pedicab.

Subd. 3. All Pedicabs shall be, at all reasonable times, subject to inspection by the Police Department.

Subd. 4. All Pedicab operators shall comply with all applicable Minnesota statutes, obey and comply with any lawful order or direction of any law enforcement officer, and shall refrain from the use of any profane language or from interference with such officials while in the performance of their duties.

93A.07. Inspection and Sanitation of Vehicles. Subdivision 1. Before the initial use and operation of any vehicle under the authority of a franchise, the vehicle must be thoroughly

CHAPTER 93A. PEDICAB TRANSPORTATION BUSINESS FRANCHISES

examined and inspected by an authorized bicycle mechanic, and found to comply with all standards of safety prescribed by the laws of the state or city. An inspection form showing that the vehicle has met the standards of safety prescribed by law must be presented to the city clerk at the time of license application. In response, the city clerk must issue a license decal for the vehicle if the franchisee has complied with this chapter.

Subd. 2. From time to time, and at least annually, an authorized bicycle mechanic must inspect every vehicle operated under the authority of a franchise. The operation of any vehicle that fails to meet the standards of safety established by law must be discontinued until such time as the deficiency is eliminated.

Subd. 3. The interior and exterior of every vehicle operated under the authority of a franchise must be kept in a clean and sanitary condition.

93A.08. License Suspension and Revocation. This section has been repealed per Ordinance # 4074 adopted on June 18, 2012.

93A.09. Penalty. Any person violating any provision of this chapter shall be guilty of a misdemeanor.

93A.15. Franchise Granted. A pedicab transportation business franchise is granted to Miguel Valdez to provide public pedicab transportation services within the City for a period ending March 31, 2015, subject to the terms and conditions of this Code, including the provisions of Chapter 93A of this Code as they pertain to the operation, maintenance and documentation of the vehicles operated by a franchise holder. (4025, 6/20/11; 4049, 2/6/12)

(4024, 6/20/11; 4025, 6/20/11; 4049, 2/6/12; 4074, 6/18/12)